

ORDINANCE NO. 2169

AN ORDINANCE AMENDING CHAPTER 15, UTILITIES, OF THE CODE OF THE CITY OF GARDNER, KANSAS, 1990, SECTIONS 15-301, 15-501, 15-504, 15-505, 15-701 AND ADDING 15-506 INCREASING VARIOUS RATES AND CHARGES AND AMENDING OR REPEALING ALL ORDINANCES OR REGULATIONS NOT IN CONFORMITY HEREWITH.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GARDNER, KANSAS:

SECTION ONE: Chapter 15, Article 3, Water Rates, Section 15-301, is hereby amended to read as follows:

15-301 WATER RATES. All persons, firms or corporations having a connection with the City of Gardner water system shall be charged a monthly water service charge for each meter by which they are served and a water usage charge in accordance with the following rates. When multiple persons, firms or corporations are served by one water meter, a monthly water service charge shall be billed for each residential dwelling unit.

- 301.1 Water Users Inside Corporate Limits
 - A. Monthly Service Charge \$8.52 Per Month
(prorated by number of days of service in the month for new customers)
 - B. First 40,000 Gallons \$3.86 Per 1,000 Gallons
 - C. Over 40,000 Gallons \$3.10 Per 1,000 Gallons
- 301.2 Water Users Outside Corporate Limits
 - A. Monthly Service Charge \$15.45 Per Month
(prorated by number of days of service in the month for new customers)
 - B. First 40,000 Gallons \$4.93 Per 1,000 Gallons
 - C. Over 40,000 Gallons \$3.96 Per 1,000 Gallons
- 301.3 Coin Operated Bulk Water Sales
\$4.75 Per 1,000 Gallons
- 301.4 Nothing in this Article shall preclude the City of Gardner from entering into contractual agreements with customers for the sale of wholesale water. The City of Gardner shall determine the rates to be charged for wholesale water on a case by case basis.

SECTION TWO: Chapter 15, Article 5, Electric Rates, Section 15-501, is hereby amended to read as follows:

15-501 ELECTRIC RATES. All customers of electrical current supplied by the electric distribution system of the City shall pay for this service in accordance with one of the following rates:

- 501.1 Residential
 - A. Eligibility for the Residential electric rate is limited to dwelling units supplied through one (1) meter for domestic use. This rate is not available to dwelling units used for commercial purposes; however, if the customer's wiring is so arranged that electric service for domestic and non-domestic purposes can be metered separately, then this rate is available to that portion used for domestic purposes.
 - B. Rate
 - 1. Service Charge - \$6.00; and
 - 2. \$0.09051 per kilowatt hour.

501.2 Residential with Electric Heat

- A. Eligibility for the Residential with Electric Heat rate is limited to dwelling units utilizing electric heat or add-on heat pumps. Electricity shall be supplied through one (1) meter for domestic use. This rate is not available to dwelling units used for commercial purposes; however, if the customer's wiring is so arranged that electric service for domestic and non-domestic purposes can be metered separately, then this rate is available to that portion used for domestic purposes.
- B. The following monthly rates, fees and charges shall apply for the May, June, July, August and September electric meter readings.
 - 1. Service Charge - \$6.00; and
 - 2. \$0.09293 per kilowatt hour.
- C. The following monthly rates, fees and charges shall apply for the October, November, December, January, February, March and April meter readings.
 - 1. Service Charge - \$6.00;
 - 2. First 800 kilowatt hours at \$0.07623 per kilowatt hours; and
 - 3. All over 800 kilowatt hours at \$0.03696 per kilowatt hour.

501.3 Commercial without Demand

- A. The Commercial without Demand rate is available to any customer utilizing electric service at one point of delivery for which no specific rate is provided.
- B. Rate
 - 1. Service Charge - \$6.60 ; and
 - 2. \$0.09350 per kilowatt hour.
- C. Customers choosing the Commercial without Demand rate must pay this rate for a minimum of twelve (12) consecutive months to be eligible for the Commercial with Demand rate.

501.4 Commercial Electric Heat

- A. The Commercial Electric Heat rate is available to commercial, industrial and institutional customers utilizing electric heat or add-on heat pumps.
- B. Rate. The following monthly rates, fees and charges shall apply for the May, June, July, August and September electric meter readings.
 - 1. \$4.78 per kilowatt hour of billing demand; and
 - 2. Service Charge - \$6.60; and
 - 3. \$0.03108 per kilowatt hour.
- C. The following monthly rates, fees and charges shall apply for the October, November, December, January, February, March and April meter readings.
 - 1. \$4.78 per kilowatt hour of billing demand; and
 - 2. Service Charge - \$6.60; and
 - 3. \$0.02835 per kilowatt hour.

501.5 Commercial with Demand

A. The Commercial with Demand rate is available to any customer utilizing electric service at one (1) point of delivery for which no specific rate is provided.

B. Rate

1. Service Charge - \$15.00; and
2. \$12.60 per kilowatt for all kilowatts of billing demand;
3. \$0.04578 per kilowatt hour for the first 5,000 kilowatt hours; and
4. All over 5,000 kilowatt hours at \$0.03927 per kilowatt hour.

C. C. Customers choosing the Commercial with Demand rate must pay this rate for a minimum of twelve (12) consecutive months to be eligible for the Commercial without Demand rate.

501.6 Large Commercial

A. Eligibility for the Large Commercial rate is limited to commercial, industrial and institutional customers that each billing period have a demand of two-hundred (200) kW or greater and a load factor of fifty (50) percent or greater. Failure to maintain the minimum demand or load factor during any billing period shall make the customer ineligible for the Large Commercial rate. A customer disqualified from paying the Large Commercial rate may become eligible to resume the Large Commercial rate after meeting the minimum demand and load factor requirements for twelve (12) consecutive months.

B. Rate

1. Service Charge - \$20.00; and
2. \$12.60 per kilowatt for all kilowatts of billing demand;
3. \$0.04463 per kilowatt hour for the first 5,000 kilowatt hours; and
4. All over 5,000 kilowatt hours at \$0.03875 per kilowatt hour.

501.7 Residential and Commercial Electric Heat with Separate Meter

A. The Residential and Commercial Electric Heat with Separate Meter rate is available to any customer utilizing separately metered electric heat or an add-on heat pump.

B. Rate

1. \$0.06206 per kilowatt hour.

501.8 School District 231

A. The School District 231 Rate is available to any building used by USD 231 School District

B. Rate

- 1) Service Charge - \$10.00; and
- 2) \$11.00 per kilowatt hour for all kilowatts of billing demand; and
- 3) \$0.0415 per kilowatt hour for the first 5,000 kilowatt hours; and
- 4) All over 5,000 kilowatt hours at \$0.0270 per kilowatt hour.

SECTION THREE: Chapter 15, Article 5, Electric Rates, Section 15-504, is hereby amended to read as follows:

15-504 POWER COST ADJUSTMENT. Electric power rates for all classes of customers shall be increased or decreased each billing period by the amount of a power cost adjustment. The power cost adjustment shall be calculated by dividing the sum of City's net cost of purchasing wholesale power and for the cost of fuel used to produce electric power for the past twelve (12) billing periods by the City's total retail power sales for the past twelve (12) billing periods. The base total power cost rate per kilowatt-hour shall be subtracted from this quotient to determine the power cost adjustment per kilowatt-hour. When a new base rate is calculated, the old rate will be adjusted in equal increments over a twelve (12) month period until it equals the new rate.

SECTION FOUR: Chapter 15, Article 5, Electric Rates, Section 15-505, is hereby amended to read as follows:

15-505 YARD LIGHTS FEE. The fee for yard lights owned and maintained by the City utilized for private purposes shall be as follows:

\$12.20 per billing period for each 250 watt fixture.

SECTION FIVE: Chapter 15, Article 7, Wastewater Rates, Section 15-701, is hereby amended to read as follows:

15-701 WASTEWATER CHARGES. All persons, firms or corporations having a connection with the City of Gardner wastewater system shall pay monthly wastewater charges consisting of a wastewater service charge, a wastewater usage charge and an extra strength surcharge as provided herein. When multiple persons, firms or corporations are served by one water meter, a monthly wastewater service charge shall be billed for each residential dwelling unit.

- 701.1 Residential and Non-Residential Wastewater Users
 - A. A monthly service charge of \$7.72.
 - B. A monthly wastewater usage charge of \$4.91 per one thousand (1,000) gallons. Monthly wastewater usage charges will be based on actual metered water usage except during the months of April, May, June, July, August, September, October, and November, for which wastewater usage will be for not more than the average water usage during the months of December, January, February, and March (winter average). Customers initiating wastewater service after March will be billed for actual wastewater use or eight thousand (8,000) gallons, whichever is less, until an actual winter average can be established.
- 701.2 Nothing in this section shall prohibit the City from determining wastewater usage charges on an individual basis for those customers with large consumptive use of water. The City shall not be prohibited from charging new customers with expected large water usage, wastewater usage charges based on actual water usage until a winter average can be established.
- 701.3 Those customers discharging sewage the strength of which is in excess of normal domestic sewage, will be billed a surcharge in addition to the normal charges. The surcharge shall be as follows:
 - \$ 0.42 per pound B.O.D.
 - \$ 0.39 per pound S.S.

701.4 Any customer who discharges any pollutants which cause an increase in the cost of managing the effluent or the sludge from the City's treatment works, or any customer who discharges any substance which singly or by interaction with other substances causes identifiable increases in the cost of operation, maintenance, or replacement of the treatment works, shall pay for such increased costs. The charge to each such customer shall be as determined by the City of Gardner.

SECTION SIX: Chapter 15, Article 5, Electric Rates, Section 15-506, is hereby added as follows:

15-506 POLE ATTACHMENT CHARGES: The City of Gardner will charge for the use of Gardner electric poles as follows:

506.1 For each attachment to a utility pole, the annual fee will be \$8.00, payable quarterly. The number of attachments to be charged will be based on the total number of attachments as of January 1 of each year.

506.2 Permission to attach and the method of attachment is at the discretion of the City.

506.3 Unified School District #231 and Kansas City Power and Light will not be charged.

SECTION SEVEN: All other ordinances not in conformity herewith are hereby repealed or amended to conform hereto.

SECTION EIGHT: This ordinance shall take affect with billings issued by the City of Gardner beginning in and after January 1, 2006, and be in force following its passage, approval, and publication as provided by law.

PASSED and APPROVED this 3rd day of October 2005.

Mayor

ATTEST:

City Clerk

(SEAL)